

The Examiner has characterized each Group as being "related as subcombinations disclosed as being useable together in a single combination." This Restriction requirement apparently follows the guidelines set forth in MPEP 806.05(d). In this regard, the MPEP goes on to say that "care should always be exercised in this situation to determine if the several subcombinations are generically claimed." See MPEP 806.04(b).

It is respectfully submitted that the claims of Group III are generic combinations of the claims of Group I. Claims 1 and 20 of Group I have three elements paraphrased as follows:

**recording** information requests desired by a user; //

✓ **accessing** recorded requests by information providers;

✓ **determining** by the provider whether or not the information provider has the information requested by the recording user.

Claim 38 of Group III has four elements paraphrased as follows:

allowing the user to **input** and **store** desired programs; //

✓ **accessing**, from time to time, stored ones of the stored desired programs;

✓ **determining** which, if any, of the stored desired programs are currently available;

**delivering** to the user at some future time those programs when such programs become available. //

Clearly, claims 1 and 20 (as paraphrased above) of Group I are generic with respect to claim 38 of Group III since claim 38 requires **inputting** and **storing** (which is essentially the same as **recording** of claim 1) of desired programs (the programs are a subset of information), and **accessing** the stored requests, and **determining** availability. These elements are essentially the same as in claim 1 and thus Groups I and III are directed to the same inventive concept and both Groups should be allowed in this application.

With respect to Group II, it is respectfully submitted that Group II should also be maintained since Group II is a species of Group I as set forth below. Claim 27 (Group II) is paraphrased as follows:

**accepting** from a user information pertaining to a program...;

**matching** the accepted information...;

**informing** the user as to when the program will be delivered;

**allowing** the viewer to receive the program at the informed time.

While claim 27 does not specifically call for **recording** the information as in claim 1, it does call for **accepting** the information which is certainly similar to **accessing** and **recording** the information (as in claim 1). These are similar concepts which should not require separate searches. Claim 27 further calls for **matching** which is a similar concept to **determining** of claim 1. The other elements of claim 27 are more limiting and thus Claim 27 is a subset of claim 1 and should be allowable in this application.

Likewise, claim 52 of Group IV requires **remembering abstracts** (similar to **recording** of claim 1) by an information seeker, **searching** (similar to **accessing** of claim 1) by information sources, and **notifying** the information seeker about **matches** (similar to **determining** as set forth in claim 1). Accordingly, the combination of these elements is a species of the inventive concept of Group I and thus should be allowable in this application.

37 CFR 1.141 provides that a reasonable number of species may be claimed in a single application, and applicant respectfully requests that the Examiner allow the Group II, IV and V species in this application.

With respect to Group V, it is respectfully submitted that the claims of this Group stem from an embodiment common to Group I and thus should be allowable in the application.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 5708/P005US/08008819 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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